

Draft Minutes Detroit Board of Police Commissioners
Date of Meeting: Thursday, April 22, 2021 – 3:00 PM
Location: Zoom Virtual Meeting Platform

- I. **Chairperson Willie E. Bell called the BOPC Board Meeting to order at 3:00 p.m.**
- II. **Invocation.** Chaplain Anthony Estes provided the invocation.
- III. **Introduction of Police Commissioners. A roll call was held, and a quorum was declared.**

Detroit Board of Police Commissioners' Membership / Attendance		
	Attend	Not-Attend
Willie E. Bell, Chairperson	Yes	
Annie Mae Holt, Vice-Chairperson	Yes	
Linda D. Bernard	Yes	
Darryl D. Brown	Yes	
Shirley A. Burch	Yes	
Willie E. Burton	Yes	
Lisa Carter		Excused
William M. Davis	Yes	
Jesus Hernandez	Yes	
Jim Holley	Yes	
Martin Jones	Yes	
Quorum (Yes)	10	

- IV. **The Board approved the Agenda for Thursday, April 22, 2021.**

Motion: Commissioner Bernard **Second:** Commissioner Burch **Discussion:** None.

VOTE: **Yes = 8** **No = 0** **Motion: ADOPTED**

- V. **Chairperson Bell called for any corrections to the Meeting Minutes for April 15, 2021. After no corrections were submitted, the minutes were approved.**

Motion: Vice-Chairperson Holt **Second:** Commissioner Bernard **Discussion:** None.

VOTE: **Yes = 8** **No = 0** **Motion: ADOPTED**

- VI. **Introductions of Board administrative and investigative staff, Chief of Police, Elected Officials or Representatives.**

- VII. **Chair's Report.** Chairperson Bell discussed the verdict of the former police officer with the Minnesota Police Department stating the verdict brings a measure of accountability for George Floyd's death. Chairperson Bell also stated, "Today, also shows that a court of law can and should hold police officers accountable for unprofessional, unnecessary and deadly acts of violence that violate the law in hopes to protect and serve human decency. America still has a lot of work to do to stop the pattern of excessive and fatal force used by police officers, especially against people of color in cases of minor offense. Law enforcement has many fine professionals, but the lack of consistency, standards, accountability, and objective review means we will continue to see tragic deaths like Mr. Floyd. The resounding call for police reform and national action remains essential in ending police practices that are biased and unfair in every community. I want to commend Chief Craig and the Acting Chief in Minnesota for taking the stand to condemn this kind of behavior. **Board Updates:** We have a resolution supporting U.S. Congressional approval of the George Floyd Justice in Policing bill to ensure the Board continues to support these and other important police

reforms. We have a presentation from Drug Forfeiture and Unfinished Business regarding the MARS Towing matter. We are scheduled to receive other updates next week regarding towing and general update regarding the RFP process. Today, we are scheduled to go into a Closed Session to discuss personnel matters.” Chairperson Bell also reminded Board Members of the Board’s Bylaw provision, Article XI – Conduct of Meetings, and asked for the Board’s cooperation in this effort. Also, Board members have received copies of the Board’s Bylaws, Robert’s Rules of Order and, the Rules of Decorum. Chairperson Bell requested Commissioners to limit their remarks/questions within a three-minute time frame.

VIII. Chief of Police Report: Chief of Police’s Summary of CompStat Data and other Crime Information/DPD Information:

Chief James E. Craig thanked Chairperson Bell and added that he was one of the first police chiefs to explicitly say that Mr. Floyd’s killer should have been arrested by the Agency once they became aware of the events that we now know unfolded. Chief Craig also provided Crime Statistics, updates on recent officer-involved shootings, and a video presentation regarding Detroit Will Breathe 2020 Protests. **See attached Meeting Transcripts for more information.**

Category	Prior Day	Prior 7 Days	2021 YTD	2020 YTD	Change	% Change	
Criminal Homicides*	1	7	89	76	13	17%	▲
Sex Assaults*	1	9	221	206	15	7%	▲
Aggravated Assaults*	14	201	3,329	2,418	911	38%	▲
- Non-Fatal Shootings*	5	41	280	194	86	44%	▲
Robberies	2	23	403	600	-197	-33%	▼
- Carjackings	0	4	63	48	15	31%	▲
Part I Violent Crime	18	240	4,042	3,300	742	22%	▲
Category	Prior Day	Prior 7 Days	2021 YTD	2020 YTD	Change	% Change	
Burglaries	9	49	1,029	1,639	-610	-37%	▼
Larcenies	11	138	2,758	3,771	-1,013	-27%	▼
Motor Vehicle Thefts	0	35	1,624	1,861	-237	-13%	▼
Part I Property Crime	20	222	5,411	7,271	-1,860	-26%	▼
Total Part I Crime	38	462	9,453	10,571	-1,118	-11%	▼

DPD’s Past Week Enforcement Efforts: There were two officer-involved shootings that both resulted in fatalities. ***The first one occurred on April 18, 2021***, where officers were on West McNichols and Ward investigating a non-fatal shooting involving five victims. Connected to that non-fatal shooting, there was a vehicle accident that resulted in a fatality of a 64-year-old male. The officers were blocking the street still conducting an investigation when a 27-year-old in a Yukon SUV drove into the crime scene firing one shot in the direction of the officers. The single gunfire hit the scout car after which the officers initiated pursuit. There were points that reached in excess of 100 mph. The suspect damaged the vehicle, pulled into a parking lot, and there was a brief exchange of gunfire where the individual was hit. Officers immediately went into life-saving mode, transported the individual to the hospital. The Department did not have any information regarding the subject’s motive. However, it was noted that on the day prior his 21-year-old friend Malik Douglas was killed in a dice game, and the subject was deeply depressed over that incident according to family. A month or so before that he had another loss of a five-month old cousin. There was no indication that he had any history of mental illness, but his mother shared that he experienced depression at times. ***The second police-involved shooting happened in the 2200 block of Hanna on April 20, 2021***, where officers responded to a male having a violent mental crisis in the 11th precinct. Four officers arrived to location and spoke with a caller who stated that the suspect, a 32-year-old white male had locked himself in the bathroom and inflicted serious injury to himself with a very large knife. This was a very horrific scene where this suspect had a number of self-inflicted injuries. Chief Craig reviewed the video several times, and observed where the subject was resisting the officers who continue to try to help him. The subject continued stating that he did not want to live and there was the appearance that the subject was under the influence of a substance. In the effort to try to disarm him, there was a struggle and during that struggle, the officer was stabbed in the upper thigh. One of the officers at the scene fired several shots in that small space, unfortunately it appeared that that first or second shot struck the officer who was in the struggle with this suspect. As the officer continued the struggle on the ground, fighting over the knife at this point, an officer fired several more shots striking this suspect and from that he then succumbed to his injuries. In talking to the Mother and the girlfriend they indicated that the suspect was suffering from mental illness, but was also a drug abuser. Out of respect for the family, the Department did not release the video because the suspect was unclothed and covered in blood. ***Video Presentation*** (about 12 minutes) depicting selected 2020 events related to George Floyd/Detroit Will Breathe protests, the Hakim Littleton fatal encounter, news coverage and other video showing what officers experienced on those few days when there was violence or violent incidents.

Commissioner Burch expressed appreciation for showing the video presentation regarding the past 2020 police protest events. **Commissioner Burch** requested information on how to reduce crime within the 11th Precinct. **Commissioner Burch** also asked for clarity regarding why officers did not handcuff the individual to prevent him from accessing a knife. **Commissioner Burch** also discussed various police-involved fatal encounters, asking for clarity on the Department's training efforts regarding use of force and non-deadly alternatives for stopping an imminent threat. **Commissioner Burch** also requested the Department's efforts to combat speeding and reckless driving. **Commissioner Davis** inquired about whether the Department is investigating hit and runs and asked for the case closure rate. **Commissioner Davis** also asked had home invasions increased. **Commissioner Bernard** thanked Chief Craig for the video and the report. Commissioner Bernard shared clarity of Commissioner Burch's earlier comments asking why the Taser device was not used in lieu of the firearm given the later police involved shooting incident. **Commissioner Bernard** also requested to receive an after-action report that the department actually filed regarding the incidents and requested a copy of the training manual. **Commissioner Bernard** also discussed the Board's support of the Department and support of police officers being peace officers and safety officers in light of differences of opinion at time by the Board. **Commissioner Jesus Hernandez** thanked Chief Craig for his report and requested information regarding the NPO program given recent media coverage. In terms of its success in the community, **Commissioner Hernandez** requested the Department's plans to enhance that program and continue to strengthen the relationship with policing and community. **Commissioner Jones** thanked Chief Craig and shared his observations of the incident located on Hanna and dialogue with some of the officers and asked Chief Craig to share more discussion regarding the officers' perceptions of the circumstances. **Commissioner Brown** expressed his thanks to Chief Craig, and gratefulness that no officers were fatally injured. **Commissioner Brown** requested more information about the Michigan State University Report on a green light studies asking about the numbers on carjacking at gas stations before Green Light; the expansion of the program; and the numbers regarding armed robberies citing those data metrics would have been helpful for the report. **Commissioner Burton** inquired about the situation that took place on Hanna Street and asked whether the DPD was going to look at providing mental health training to members in our Community either via Zoom or in person citing that officers have training when it comes to crisis intervention, but our community has none. **Commissioner Holley** thanked Chief Craig and stated, "You represent us very well nationally." **Commissioner Holley** requested Chief Craig to explain how Department members distinguish the gun and a Taser. Also, **Commissioner Holley** requested information regarding the training and instructions that are provided during roll call, and how the Department is addressing what is taking place around the country involving police-incidents resulting in fatal encounters. **Chair Willie Bell** closed the presentation to ensure time for 19 speakers for public comment. **Chairperson Bell** also noted the Board's work with the Chief in terms of recommending policy and recommending yellow Tasers for a distinct difference from the color of the firearm. **Chairperson Bell** also requested Chief Craig to discuss the activities that occur after shooting incidents regarding an internal investigation, and reviews and evaluations that place after critical incidents.

Resolution: Vice-Chairperson Holt read the resolution supporting U.S. Congressional approval of the George Floyd Justice in Policing Bill.

Resolution Supporting U.S. Congressional Approval of the George Floyd Justice in Policing Bill.

- WHEREAS,** the residents of the City of Detroit, through the 1974 City Charter, created the Board of Police Commissioners for civilian oversight and control of the police department to ensure public transparency and accountability; and
- WHEREAS,** one of the Board's mandates includes the review and approval of policy directives integral to the best organizational practices, procedures, and culture for community policing, crime reduction, and public safety. In this role, the Board routinely suggests revisions to policy directives and frequently is at the forefront of police reform; and
- WHEREAS,** the Minneapolis police killing of George Floyd on Memorial Day 2020 caused global outrage and led to protests against police brutality. As a mature oversight body, the Board quickly took action to ban strangleholds and to require a duty to intervene among other vital policy updates that helped Detroit provide concrete changes very quickly and reassure the public that its voices were heard; and
- WHEREAS,** the Board of Police Commissioners has called for federal action to provide consistent standards, accountability, and objective reviews of all law enforcement agencies. The Board has supported federal action

as vital to stopping fatal police encounters like the one that killed Mr. Floyd and to ending non-fatal patterns of racial profiling and police brutality, and

WHEREAS, the George Floyd Justice in Policing Bill as sponsored by U.S. Rep. Karen Bass on June 8, 2020, and approved by the House on March 3, 2021, will achieve many of the Board's goals. House Bill 7120 will increase accountability for law enforcement misconduct, enhance transparency and data collection, and help eliminate racial profiling and other discriminatory policing practices. The bill also facilitates federal enforcement of constitutional violations like excessive use of force by state and local law enforcement. Among other things, the bill limits qualified immunity as a defense in civil cases against a law enforcement officer or state correctional officer, and authorizes the Department of Justice to issue subpoenas in investigations of police departments for a pattern or practice of discrimination. HB 7120 also creates the National Police Misconduct Registry to compile data on complaints and records of police misconduct; so

THEREFORE BE IT RESOLVED, That the Detroit Board of Police Commissioners supports Congressional passage of HB 7120, known as the George Floyd Justice in Policing Bill, as vital to 21st Century Policing and to helping ensure the federal standards, accountability, and review for law enforcement agencies.

Commissioner Bernard moved to adopt the resolution supporting U.S. Congressional approval of the George Floyd Justice in Policing Bill. **Commissioner Hernandez** seconded. Discussion: **None**.

IX. VOTE: Yes = 10 No = 0 **Motion: PASSED**

PRESENTATION(S) TO THE BOARD: A. Drug Forfeiture – Captain Michael Parish/Sergeant Darchell Brown presented on the Forfeiture Section. Sergeant Brown provided an overview of the Forfeiture Section, discussed the personnel composition, role of the forfeiture section, description of the Civil Asset Forfeiture process and applicable ordinances. Sergeant Brown also discussed how civil asset forfeiture helps the community, significant events relating the forfeiture activities, forfeiture statistics from 2018-2020. PowerPoint Presentation is on file with the Board's Office and posted on the Board's website.

Commissioner Bernard commended the report and asked who investigates complaints about the forfeiture process and whether the Department's Forfeiture Section also forfeits houses. **Sgt. Brown shared that DPD is working with the prosecutor's office to include forfeiture of homes repeatedly used as drug houses.**

MOTION: To approve Chief of Police James E. Craig's Recommendation for Appointment to the Rank of Sergeant for Police Officer Bashawn Gaines.

Motion: Vice-Chairperson Holt **Second:** Commissioner Holley **Discussion:** Discussion.

VOTE: Yes = 10 No = 0 **Motion: PASSED**

X. Report from Interim Board Secretary Melanie White Regarding Communications Submitted to BOPC as incoming information:

1. Weekly DPD Facial Recognition Technology Report 4/12/21 – 4/18/21
2. Detroit Alumnae Chapter of Delta Sigma Theta Sorority, Inc. Children's Mental Health Awareness Town Hall Meeting Flyer 4/28/21 from 7-9 p.m.
3. Detroit News Article "Has Detroit's controversial Project Green Light worked? Findings in study offer clues" dated 4/18/21
4. Chief James E. Craig Letter of Recommendation to Promote Police Officer Bashawn Gaines to the Rank of Sergeant
5. National Prescription Drug Take Back Day 2021 Flyer
6. Memorandum on Behalf of MARS and Request for Oral Testimony dated 4/20/21
7. Letter from the Law Offices of Jerome & McLean on Behalf of Detroit Towers Association (DTA) dated 4/21/21
8. Correspondence from the City Law Department Re: Recommendation regarding MARS dated 4/22/21
9. Staff Reports

XI. Unfinished Business.

A. Michigan Auto Recovery Service Inc. Represented by Attorney Jermaine Wyrick, Captain Michael Parish, DPD, Assistant Corporation Counsel Ericka Savage Whitley

Captain Michael Parish stated the Department submitted a comprehensive referral on the matter of Michigan Auto Recovery in March and discussed the Department's recommendation to terminate the MARS ability to tow for the Detroit Police Department. Assistant Corporation Counsel Savage Whitley recommended that MARS be suspended for the remainder of the term of its tow permit, which is for approximately 39 days. Attorney Jermaine Wyrick, representing MARS, recommended that in lieu of termination or suspension, MARS be required to complete community service and pay fines.

Motion to Accept Assistant Corporation Counsel Erica Savage Whitley's Recommendation that Michigan Auto Recovery Services (MARS) be Suspended for the Remainder of the Term of Tow Permit Which 39 Days.

Motion: Vice-Chairperson Holt

Second: None.

Discussion: Discussion.

XII. New Business.

XIII. Announcements:

Mr. Robert Brown announced the following:

1. **Next Meeting:** Thursday, April 29, 2021, at 3:00 p.m., BOPC Meeting
2. **Next Meeting:** Thursday, May 6, 2021, at 3:00 p.m., BOPC Meeting

XIV. Oral Communications/Public Comments:

District 4 CAC Scotty Boman, Ms. Bernice Smith, Minister Eric Blount, Ms. Yvonne Jones, Ms. Lory Parks, North End, Over With is Mr. Rhuben Crowley, Kenya, My Phone, Ms. Sarah Torres, 402 is Ms. Joy, Brenda Hill and Ms. Michelle George offered public comments.

XVI. Chairperson Bell adjourned the meeting at 6:01 p.m.

Motion: Commissioner Holt

Second: Commissioner Brown

Discussion. **None:** Motion Adopted.